

### **REMARKS**

Claims 1-8, 17, 23, 26-28, 34, 37-40, 46, 49, 62, 63, 72, 77, 122 and 133-150 are pending in the application, of which claims 1 and 5 are amended herewith. Claims 149 and 150 are new.

Applicants thank the Examiner for the telephonic interview conducted on June 4, 2009 and submit herewith a summary of said interview.

#### **Interview summary**

The following issues were discussed and agreed upon during the interview:

#### **35 USC 112 rejections**

Claims 1-8, 17, 23, 26-28, 34, 37-40, 46, 49, 62-63, 72, 77, 122 and 133-148 stand rejected under 35 USC 112 first paragraph, as failing to comply with the written description requirement. The limitations of claim 1 and 5 "wherein said flexible connection constrains said first and second radioactive emission detectors to point towards the vicinity of said radioactivity emitting source, while following contours of said three dimensional surface." are not supported by the specification according to the Examiner.

Claims 1-8, 17, 23, 26-28, 34, 37-40, 46, 49, 62-63, 72, 77, 122 and 133-148 stand rejected under 35 USC 112 second paragraph as failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention. In claims 1 and 5 it is unclear as to how the radioactive emission detectors are constrained to point towards the vicinity of the radioactivity emitting source.

Applicants pointed the Examiner to paragraph 93 of the application as published wherein support for the recited claimed feature can be found. It was agreed that the claims would be amended in order to overcome the rejection on 35 USC 112 second paragraph as follows:

The two last clauses of claim 1 were amended as follows:

"wherein said first and at least second radioactive emission detectors are configured for scanning a three dimensional surface which define body curvatures, while following contours of said three dimensional surface,

and wherein said flexible connection constrains said first and second radioactive emission detectors while said detectors follow contours of said three dimensional surface, to point towards the vicinity of said radioactivity emitting source, ~~while following contours of said three dimensional surface.~~ "

The clause before last in claim 5 was amended as follows:

"(b) employing said radioactive emission detectors, while constraining said radioactive emission detectors to point towards the vicinity of said radioactivity emitting source, in scanning a three dimensional surface which define body curvatures, while following contours of said three dimensional surface;"

By filing the amendments and support found at least on paragraph 93 of the application as filed, it was agreed that the rejections on 35 USC 112 were overcome.

#### 35 USC 102 rejections

Claims 1-8, 39, 62 and 77 stand rejected under 35 USC 102(e) stand rejected as being anticipated by Weinberg. Applicants disagreed with the rejection and indicated that Weinberg does not teach at least two detectors scanning a three dimensional surface which define body curvatures, while following contours of said three dimensional surface.

In the office action and during the interview, the Examiner referred to Figs. 6A and 6B of Weinberg as apparently teaching this feature. Applicants disagreed and stated that Figs. 6A and 6B refer to the reconstruction of a sinogram from the detections as described on Col. 8, lines 3-35 of Weinberg. Figs. 6A and 6B, or any other figure or description in Weinberg, do not relate to constraining said radioactive emission detectors to point towards the vicinity of said radioactivity emitting source, in scanning a three dimensional surface which define body curvatures, while following contours of said three dimensional surface as recited in the claims of the present application.

The Examiner agreed with applicants and noted that the claims, as amended, are allowable. The Examiner also noted that not all the references submitted in an IDS by applicants were yet reviewed by the Examiner.

#### New claims and support

Support for the amendments in claims 1 and 5 is found at least in paragraph 93 of the application as published.

Claims 149 and 150 are new. Claim 149 is a system claim depending on claim 1 and recites " wherein said first and at least second radioactive emission detectors are configured for scanning a three dimensional surface which define body curvatures, while positioned on the same side of said three dimensional surface." Claim 150 is a method claim dependent from claim 5 and recites a similar limitation. Support for

new claims 149 and 150 can be found at least in Figs. 9 and 10 of the application as published.

Applicants submit that Weinberg does not teach nor suggest scanning the recited feature. Even when Weinberg uses two cameras or detectors, he teaches the use thereof at different sides of a three dimensional surface, as shown for example in Fig. 10 and described on col. 10, lines 21-37 of Weinberg

**Conclusion**

In view of the foregoing, it is respectfully submitted that all the claims now pending in the application are allowable. A notice thereof is respectfully requested.

Respectfully submitted,



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**Enclosure:**

- Petition for Extension (Three Months)
- Additional Claim Transmittal